

Public Law 105-316
105th Congress

An Act

To authorize prepayment of amounts due under a water reclamation project contract for the Canadian River Project, Texas.

Oct. 30, 1998
[H.R. 3687]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Canadian River Project Prepayment Act”.

Canadian River
Project
Prepayment Act.
43 USC 600b
note.

SEC. 2. DEFINITIONS.

For the purposes of this Act:

(1) The term “Authority” means the Canadian River Municipal Water Authority, a conservation and reclamation district of the State of Texas.

(2) The term “Canadian River Project Authorization Act” means the Act entitled “An Act to authorize the construction, operation, and maintenance by the Secretary of the Interior of the Canadian River reclamation project, Texas”, approved December 29, 1950 (ch. 1183; 64 Stat. 1124).

(3) The term “Project” means all of the right, title and interest in and to all land and improvements comprising the pipeline and related facilities of the Canadian River Project authorized by the Canadian River Project Authorization Act.

(4) The term “Secretary” means the Secretary of the Interior.

43 USC 600b
note.

SEC. 3. PREPAYMENT AND CONVEYANCE OF PROJECT.

(a) **IN GENERAL.**—(1) In consideration of the Authority accepting the obligation of the Federal Government for the Project and subject to the payment by the Authority of the applicable amount under paragraph (2) within the 360-day period beginning on the date of the enactment of this Act, the Secretary shall convey the Project to the Authority, as provided in section 2(c)(3) of the Canadian River Project Authorization Act (64 Stat. 1124).

(2) For purposes of paragraph (1), the applicable amount shall be—

(A) \$34,806,731, if payment is made by the Authority within the 270-day period beginning on the date of the enactment of this Act; or

(B) the amount specified in subparagraph (A) adjusted to include interest on that amount since the date of the enactment of this Act at the appropriate Treasury bill rate for an equivalent term, if payment is made by the Authority after the period referred to in subparagraph (A).

43 USC 600b
note.

(3) If payment under paragraph (1) is not made by the Authority within the period specified in paragraph (1), this Act shall have no force or effect.

(b) FINANCING.—Nothing in this Act shall be construed to affect the right of the Authority to use a particular type of financing.

43 USC 600b
note.

SEC. 4. RELATIONSHIP TO EXISTING OPERATIONS.

(a) IN GENERAL.—Nothing in this Act shall be construed as significantly expanding or otherwise changing the use or operation of the Project from its current use and operation.

(b) FUTURE ALTERATIONS.—If the Authority alters the operations or uses of the Project it shall comply with all applicable laws or regulations governing such alteration at that time.

(c) RECREATION.—The Secretary of the Interior, acting through the National Park Service, shall continue to operate the Lake Meredith National Recreation Area at Lake Meredith.

(d) FLOOD CONTROL.—The Secretary of the Army, acting through the Corps of Engineers, shall continue to prescribe regulations for the use of storage allocated to flood control at Lake Meredith as prescribed in the Letter of Understanding entered into between the Corps, the Bureau of Reclamation, and the Authority in March and May 1980.

(e) SANFORD DAM PROPERTY.—The Authority shall have the right to occupy and use without payment of lease or rental charges or license or use fees the property retained by the Bureau of Reclamation at Sanford Dam and all buildings constructed by the United States thereon for use as the Authority's headquarters and maintenance facility. Buildings constructed by the Authority on such property, or past and future additions to Government constructed buildings, shall be allowed to remain on the property. The Authority shall operate and maintain such property and facilities without cost to the United States.

43 USC 600b
note.

SEC. 5. RELATIONSHIP TO CERTAIN CONTRACT OBLIGATIONS.

(a) PAYMENT OBLIGATIONS EXTINGUISHED.—Provision of consideration by the Authority in accordance with section 3(b) shall extinguish all payment obligations under contract numbered 14-06-500-485 between the Authority and the Secretary.

(b) OPERATION AND MAINTENANCE COSTS.—After completion of the conveyance provided for in section 3, the Authority shall have full responsibility for the cost of operation and maintenance of Sanford Dam, and shall continue to have full responsibility for operation and maintenance of the Project pipeline and related facilities.

(c) IN GENERAL.—Rights and obligations under the existing contract No. 14-06-500-485 between the Authority and the United States, other than provisions regarding repayment of construction charge obligation by the Authority and provisions relating to the Project aqueduct, shall remain in full force and effect for the remaining term of the contract.

43 USC 600b
note.

SEC. 6. RELATIONSHIP TO OTHER LAWS.

Upon conveyance of the Project under this Act, the Reclamation Act of 1902 (82 Stat. 388) and all Acts amendatory thereof or supplemental thereto shall not apply to the Project.

SEC. 7. LIABILITY.43 USC 600b
note.

Except as otherwise provided by law, effective on the date of conveyance of the Project under this Act, the United States shall not be liable under any law for damages of any kind arising out of any act, omission, or occurrence relating to the conveyed property.

Approved October 30, 1998.

LEGISLATIVE HISTORY—H.R. 3687:

SENATE REPORTS: No. 105-410 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 144 (1998):

Aug. 6, considered and passed House.

Oct. 14, considered and passed Senate.